

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTIFUN LIMITED T/A PREMIUM VAPE

Plaintiff,

-against-

WAYNE INDUSTRIES LLC and
DOUGLAS RUTH

Defendants.

CASE No. 1:22-cv-00057-PAE

NOTICE OF MOTION


PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and supporting Declaration of Joseph Perl, the Plaintiff, Antifun Limited T/A Premium Vape ("Premium"), will move pursuant to Fed. R. Civ. P. 8(e) or, in the alternative, Fed. R. Civ. P. 15(a)(1)(B)(2) in the United States District Court for the Southern District of New York, before the Honorable Paul A. Engelmayer, United States District Judge, at the United States Courthouse at 500 Pearl Street, New York, New York, on a date and at a time designated by the Court, for an order declaring that the Amended Complaint does not preclude Premium from seeking a judgment for more than \$256,000.00 against the Defendants, or, in the alternative, that Premium be allowed to file a Second Amended Complaint.

The Court grants plaintiff's request insofar as plaintiff may seek a judgment for more than \$256,000.00 against defendants. SO ORDERED.

Boston, Massachusetts

Respectfully Submitted,

/s/ Joseph Perl
Joseph, Perl
Attorney for Plaintiff
Law Office of Joseph Perl
11 Broadway, Suite 615
New York, NY 10004
1-646-822-9570



PAUL A. ENGELMAYER
United States District Judge
October 11, 2022

Dated: October 7, 2022